

**STATE OF MINNESOTA**  
**ACCESS REVIEW BOARD**

In the Matter of the Application of  
Bethany Lutheran Church,

FINAL DECISION  
Dated: August 15, 2022

Application No. 22-02

This matter came on for hearing before the Access Review Board (“Board”) on July 7, 2022. The record closed at the conclusion of the hearing.

Board Chair Karen Gridley, Board member Bill Reinke, and Board member David Fenley were present at the meeting in person, while Board member Audel Shokohzadeh was present via teleconference. Board member Marvin Forbragd was not present.

The issue in this application is whether the application for a waiver of the State Building Code for the purpose of installing a stairway chairlift should be granted.

Bethany Lutheran Church previously requested a waiver of the State Building Code in order to install a stairway chairlift at its church. According to the church’s application, the church is a two-story building with an entrance on the first floor and a sanctuary on the second floor. The church sought to install a chairlift in the stairway leading to the sanctuary. At its March 9, 2020, meeting, the Board reviewed the application pursuant to the factors identified in Minn. Stat. § 471.471, subd. 3 and denied the application for a waiver from the building code to install a stairway chairlift on the stairway at Bethany Lutheran Church because the application did not provide sufficient information pertaining to the church location, the model and specification of the proposed chairlift, and the feasibility of a platform lift.

Bethany Lutheran Church provided additional information and requests that the Board reconsider its request for a waiver of the State Building Code in order to install a stairway chairlift on the stairway leading to the sanctuary at its church in Ada, Minnesota.

The Board reviewed the application pursuant to the factors identified in Minn. Stat. § 471.471, subd. 3.

With regard to the first factor, the need for limited accessibility when a higher degree of accessibility is not required by state or federal law or rule, the Board noted that the church indicated that it had four individuals who need access to the sanctuary.

With regard to the second factor, the architectural feasibility of providing a greater degree of accessibility than would be provided by the proposed device or equipment and the cost of providing a greater degree of accessibility, the Board noted that the church’s application indicated

that it was not architectural feasible because there is insufficient space and too expensive to provide a greater degree of access.

With regard to the third factor, the total cost of the proposed device or equipment over its projected usable life, including installation, maintenance, and replacement costs, the Board determined that the estimated purchase and installation cost for the chairlift of \$10,000 is justified.

With regard to the fourth factor, the reliability of the proposed device or equipment, the Board noted that the proposed chairlift is manufactured by Bruno Living Aid, which is a reputable company. The proposed chairlift is Model SRE-2010 Elite Straight Rail stairlift.

With regard to the fifth factor, the applicant's ability to comply with all recognized access and safety standards for installation and maintenance, the Board noted that the church's application states that the church intends to comply with all recognized access and safety standards for installation and maintenance.

With regard to the sixth factor, whether the proposed device or equipment can be operated and used without reducing or compromising minimum safety standards, the Board noted that the church's application indicated that proposed stairway leading to the sanctuary is 60 inches wide and that the folded chair protrudes 15.125. The Board determined that 44.875 inches of clear passing space on the proposed stairway leading would be compliant with IBC Chapter 10, Sections 1009.4 and 1012.8. The chairlift model includes dual call and send remotes on both landings to call the chair from upper or lower landings if the chair is not in the needed location. The building has a smoke detector system and an alarm system but does not have a fire sprinkler system.

After considering these factors, Board member Reinke made a motion to approve the application for a waiver from the building code to install a straight rail chairlift in the stairway leading to the sanctuary at Bethany Lutheran Church in Ada, Minnesota. Board member Fenley seconded the motion. The motion carried unanimously.

The Board's approval is subject to the following conditions:

- 1) The stairway chairlifts shall comply with the Minnesota Building Code and Minnesota Elevator Code requirements. Only licensed elevator contractors may install stairway chairlifts. Proper permits, inspections, and certificates for use shall be obtained by the licensed elevator contractor installing the lift. Licensed elevator contractors may be found by searching License Look Up at:

<https://secure.doli.state.mn.us/lookup/licensing.aspx>

- 2) The stairway chairlift shall be maintained in the folded position when not in use.

  
KAREN GRIDLEY, Chair  
Access Review Board